

REMARKS

Claims 1-40, 42-46 and 48-52 are currently pending in the subject application and are presently under consideration. Claims 1, 8, 11, 17, 18, 20, 21, 28, 29, 30-32, 38-40, 42, 43, 46, and 48-52 have been amended as shown on pp. 2-10 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-3, 5, 7-13, 15, 17-23, 25, 27-34, 36, 38-40, 42-46 and 48-52 Under 35 U.S.C. §102(b)

Claims 1-3, 5, 7-13, 15, 17-23, 25, 27-34, 36, 38-40, 42-46 and 48-52 stand rejected under 35 U.S.C. §102(b) as being anticipated by Schloss, *et al.* (US 5,692,125).

Applicants' representative respectfully requests that this rejection be withdrawn for at least the following reasons. Schloss, *et al.* fails to disclose all features of the claimed invention.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Claims 1, 11, 30, and 32

Applicants' claimed invention relates to effective utilization of system resources in long running workflow transactions. To that end, claim 1 recites *initiating a workflow action, comparing a latency attribute with a latency threshold, and selectively storing data associated with a schedule in a storage medium based on the latency comparison* (claims 11, 30, and 32 recite similar elements). Schloss, *et al.* fails to disclose such claimed aspects.

Schloss, *et al.* is directed towards computer assisted calendaring of future events. With more specificity, Schloss, *et al.* teaches automatic cancelling of a scheduled event, modification of a scheduled event, and/or confirmation of a scheduled event based upon external parameters. For instance, Schloss, *et al.* discloses that events are checked at scheduling time to ensure that

certain fixed conditions are satisfied. Thereafter, the events are periodically checked prior to occurrence of the events to ensure that the fixed conditions remain satisfied. If the fixed conditions are not satisfied, then an event can be cancelled or modified according to predefined rules. Thus, schedules can be automatically updated based upon one or more criteria.

In contrast to the invention as recited in claim 1, Schloss, *et al.* fails to disclose ***initiating a workflow action, comparing a latency attribute associated with the workflow action with a latency threshold, and selectively storing data associated with a schedule in a storage medium based on the latency comparison.*** With more specificity, Schloss, *et al.* is silent with regard to a ***workflow action***, as Schloss, *et al.* is directed towards calendaring future events and is not related to workflows. As is described in the specification, workflow generally is the flow of information and control in businesses, governments, and other organizations where information and work product flows between various persons or departments. In the portions cited by the Examiner, Schloss, *et al.* discloses automatic updating of events in a calendar, including events that are dependent upon one another. More particularly, Schloss, *et al.* teaches a parameter regarding an amount of time between completion of a first event and initiation of a second event. The time between the first and second events, however, is not a latency period ***associated with a workflow action*** as recited in this claim. In other words, the workflow action is dormant for a particular period of time. In contrast, the first and second events are not dormant (as they are not actions). Still further, there is no mention within Schloss, *et al.* of storing data associated with a schedule in a storage medium ***based at least in part upon the latency comparison*** (as there is no mention of any sort of latency with respect to a workflow action within Schloss, *et al.*).

Claim 40

Claim 40 recites ***recognizing a transaction boundary associated with a transaction and selectively compensating at least a first workflow action according to the transaction boundary and a compensation parameter based on abortion of a second workflow action.*** Schloss, *et al.* fails to disclose, teach, or suggest such claimed aspects. As described above, Schloss, *et al.* describes a scheduling application, but is not related to workflow, and thus does not disclose ***compensating at least a first workflow action.*** Rather, in the portions cited by the Examiner, Schloss, *et al.* teaches ensuring that particular conditions are met prior to enabling an event to be scheduled and/or initiated. Such analysis of conditions with respect to a calendar is not

associated with *a workflow action*. Furthermore, Schloss, *et al.* is silent with respect to *recognizing a transaction boundary associated with a transaction*. In more detail, Schloss, *et al.* teaches automatically updating calendared events based upon analysis of external conditions, but does not describe *transactions* with respect to workflows.

Claims 46, 51, and 52

Claims 46, 51, and 52 recite *executing a schedule, the schedule comprising a schedule state, at least one workflow action, and at least one transaction with an associated transaction boundary*. Again, as alluded to above, Schloss, *et al.* is not related to workflows, and is thus silent with regard to executing a workflow action as recited in these claims.

In view of at least the foregoing it is readily apparent that Schloss *et al.* does not teach the identical invention in as complete detail as is contained in independent claims 1, 11, 30, 32, 40, 42, 46, 51 and 52 (and the claims that depend from). Accordingly, this rejection should be withdrawn.

II. Rejection of Claims 4, 14, 31 and 35 Under 35 U.S.C. §103(a)

Claims 4, 14, 31 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schloss, *et al.* in view of Srinivasan (US 5,548,506). This rejection should be withdrawn for at least the following reasons. As previously discussed, Schloss, *et al.* fails to disclose all limitations of independent claims 1, 11, 30, and 32 (from which claims 4, 14, 31 and 35 depend). Srinivasan fails to compensate for the aforementioned deficiencies of Schloss, *et al.*, and therefore this rejection should be withdrawn.

III. Rejection of Claims 6, 16, 24, 26 and 37 Under 35 U.S.C. §103(a)

Claims 6, 16, 24, 26 and 37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schloss, *et al.* As described above, Schloss, *et al.* fails to disclose, teach, or suggest aspects of independent claims 1, 11, and 32. This, it is respectfully submitted that this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP105USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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